

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**BOARDS OF TRUSTEES OF OHIO
LABORERS' FRINGE BENEFIT
PROGRAMS,**

Plaintiffs,

v.

**Civil Action 2:16-cv-474
Magistrate Judge Jolson**

**TOTAL ENVIRONMENTAL
SERVICES, LLC,**

Defendant.

AGREED ORDER OF JUDGMENT

The Parties hereto agree (Doc. 27) and it is hereby **ORDERED** that Plaintiffs, Boards of Trustees of the Ohio Laborers' Fringe Benefit Programs, are granted judgment against the Defendant Total Environmental Services, LLC in the total amount of \$39,759.30, including \$29,966.22 in unpaid contributions, \$2,996.62 in liquidated damages on late and unpaid contributions, and \$6,796.48 in interest. Interest will accrue from judgment on the unpaid balance of contributions only at the rate of 1% per month. Plaintiffs will forebear enforcement of the within judgment by any means upon condition that the Defendant timely pay the following sums in satisfaction of the judgment:

\$10,000 on or before June 15, 2017;

\$10,000 on or before July 15, 2017;

\$10,000 on or before August 15, 2017;

\$9,759.30, plus accumulated interest on or before September 15, 2017.

Payments are to be by check payable to the Ohio Laborers' Fringe Benefit Programs and delivered to Plaintiffs' counsel at 1010 Old Henderson Road, Suite 1, Columbus, Ohio 43220. Payments will first be applied to contributions, then to damages and interest. Should Defendants fail to timely pay any installment, Plaintiffs may enforce the balance of the judgment without further notice.

This judgment does not bar Plaintiffs from auditing Defendant's payroll records for periods after December, 2016 and enforcing any findings.

IT IS SO ORDERED.

Date: June 19, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE